

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - MOD-11027 - APPLICANT: ERIC MILLER -
OWNER: CABALLOS DE ORO ESTATES, LLC**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 12, 2006 CITY COUNCIL
MEETING AT THE REQUEST OF THE APPLICANT.***

**** CONDITIONS ****

The Planning Commission (6-1/ds vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Applications for a Rezoning (ZON-11031), a Waiver of Title 18 (WVR-12368), a Variance (VAR-11030), a Vacation (VAC-12255) and a Site Development Plan Review (SDR-11034), approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.
2. Conformance to the Lone Mountain West Master Development Plan, except as amended by this request.
3. The attached Sections 2.3.3, 6.1(a), and 6.3.1(a) shall replace these current Sections of the Lone Mountain West Master Development Plan.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Major Modification to the Lone Mountain West Master Development Plan to amend sections 2.3.3, 6.1(a), and 6.3.1(a) to allow three-story buildings and attached single-family product types in the L (Low Density Residential) special land use designation. Companion requests for a Rezoning (ZON-11031), a Waiver of Title 18 (WVR-12368), a Variance (VAR-11030), a Vacation (VAC-12255) and a Site Development Plan Review (SDR-11034) have been submitted concurrently.

EXECUTIVE SUMMARY

The applicant intends to build 30 attached single-family townhome-style units developed with a common parking access area and common facilities such as an outdoor pool and a clubhouse, on a site within the Plan area that is currently designated as L (Low Density Residential). The applicant intends to develop this project on a site that is severely topographically constrained, and develop this project within the allowed density for this area; however, since only approximately half of the site is developable, the applicant is seeking relief from the Plan limit of two stories on the site, in order to produce workable units as part of an integrated project. The applicant also requires relief from maximum building height limits.

The request is appropriate as the existing relief on the site provides a constraint to development if limited to single-detached forms, and the remaining sites within the Plan area currently designated as L also face some topographic relief issues.

BACKGROUND INFORMATION

A) *Related Actions*

- 11/02/05 The City Council approved a request for a Major Modification (MOD-8637) to the Lone Mountain West Master Development Plan to amend the following: amend Section 2.3.4 "Medium-Low Density Residential" to allow three-story dwellings; amend Tables 2, 3 and 4 to reflect proposed changes in land use designations; and to change the land use designation from MFM (Multi-Family Medium Residential) to ML (Medium-Low Density Residential) on 30.0 acres adjacent to the southwest corner of Alexander Road the I-215 Beltway. The Planning Commission and staff recommended approval on 10/06/05.
- 05/25/06 The Planning Commission recommended approval of companion items ZON-11031, WVR-12368, VAR-11030, VAC-12255 and SDR-11034 concurrently with this application.

05/25/06 The Planning Commission voted 6-1/ds to recommend APPROVAL (PC Agenda Item #15/gl).

B) Pre-Application Meeting

11/16/05 The project was analyzed to identify the necessary submissions and the applicant was advised of the submission requirements for the project and was also advised of pertinent issues as seen by staff at that time.

C) Neighborhood Meetings

02/02/05 The applicant sponsored a neighborhood meeting at the Clark County Rainbow Library, 3150 North Buffalo Drive, Las Vegas, Nevada, starting at 5:30 p.m. The meeting was attended by three members of the public, three members from the design team, and a city representative.

The developer's representative presented several design boards of the project in an informal manner for the public to review and ask questions. The members of the public asked questions and made the following comments:

a. Clarification of the project site was requested by one of the attendees.

Response: The applicant's architect reviewed the exact location of the project site which clarified the public's concern of a different site location.

b. Question as to the height of the proposed project.

Response: The developer's representative noted that the height of the residential buildings would be a maximum of 35 feet with a split level three story design.

No further questions were raised. General discussion of the overall project ensued between the developer and members of the public in an informal manner. No specific objections were raised, as the height of the proposed structures appeared to be acceptable at 35 feet as explained by the architect.

DETAILS OF APPLICATION REQUEST

This Major Modification will amend Sections 2.3.3, 6.1(a), and 6.3.1(a) of the Lone Mountain West Master Development Plan, by deleting these paragraphs and replacing them with the following:

“2.3.3. Low Density Residential

The Low Density Residential category provides for the development of up to 6 units per gross acre. This category allows for attached and detached single-family product types, including compact lots and zero lot line units, and ~~two~~ three-story buildings.”

6.1. Definitions

(a) Low Density Residential

For the purpose of these Standards, Low Density Residential shall consist of a variety of attached and detached single-family homes with attached or detached garages and a density of no greater than six (6) dwelling units per acre. These include conventional single-family, attached single-family, patio homes and Z-lot configurations.

6.3.1. Building Massing, Setbacks and Height Requirements

- (a) The buildings shall have simple forms with combinations of one- and two- story ~~elements~~ building heights. Three-story maximum building heights are also allowed with attached single-family products where there is no demonstrable impact on adjacent existing or approved low-density residential development.”

Note: underlined segments are to be added and strikeout sections are to be deleted.

The other paragraphs contained within Sections 2 and 6 shall remain unchanged.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

The Master Plan designation of the Lone Mountain West Master Development Plan area is PCD (Planned Community Development). This Master Plan designation defers to the more detailed planning policies found in the special land use designations for the individual master development plan (such as L in the Lone Mountain West MDP), and as a result is unaffected by the requested amendment to the L special land use designation that would occur through this Major Modification to the Lone Mountain West Master Development Plan.

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

The proposed Modification will not have any effect on the uses that are allowed in the L (Low Density Residential) special land use designation; rather, it will allow three-story buildings and attached single-family dwellings where the current policy limits

development to two stories and detached single-family dwellings. As overall height is limited to 35 feet pursuant to Title 19, these changes should be compatible with surrounding land uses and zoning districts.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

The proposed Major Modification has no effect on zoning, which will be PD (Planned Development) based on approval of companion request ZON-11031. This Modification does not involve rezoning. A proposed 30-unit residential project is proposed as part of a companion Site Development Plan Review, and is predicated on the approval of this Modification. Staff is in support of ensuring that PD (planned Development) zoning is eventually provided throughout Lone Mountain West, as sites so zoned are directly linked to the provisions of the master development plan.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

This Major Modification is not geographically based, although it could potentially affect any site in Lone Mountain West that is designated as L (Low Density Residential); as a result, this question is not relevant to the request.

PLANNING COMMISSION ACTION

There were 4 speakers in opposition at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 4

SENATE DISTRICT 9

NOTICES MAILED 340 by Planning Department

APPROVALS 0

PROTESTS 8